

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:08-cv-341-RJC

CAROLYN S. JOHNSON, )  
                        )  
                        )  
Plaintiff,            )  
                        )  
                        )  
vs.                    )  
                        )  
MICHAEL J. ASTRUE, Commissioner    )  
of SSA,                )  
                        )  
Defendant.            )

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**THIS MATTER** is before the Court on its own Motion. On August 29, 2008, the Court issued Summons. Plaintiff has failed to make service within 120 days of the issuance of summons.

**NOW THEREFORE, IT IS ORDERED** that pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, this matter is **DISMISSED WITHOUT PREJUDICE**.

Signed: January 5, 2009

  
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Robert J. Conrad, Jr.  
Chief United States District Judge  
